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SIPDIS

STATE FOR P, EUR, EUR/SE, NEA AND NEA/NGA;
NSC FOR RICE AND HADLEY; OSD FOR DEPSECDEF

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SUBJECT: IRAQ: TURKISH MFA U/S ZIYAL AND AMBASSADOR PEARSON
DISCUSS MILITARY AND POLITICAL MOU'S

(U) Classified by Ambassador W. Robert Pearson. Reasons:
1.5 (B and D).

1. (S) Ambassador met with MFA U/S Ugur Ziyal mid-afternoon February 6 to press on several issues. First, he got from Ziyal a commitment to have the MFA, Treasury and other concerned agencies available during the holiday next week from Wednesday on to close on any outstanding questions. Ziyal said he had given instructions to the MFA to have critical, i.e., Iraq- related, offices staffed, and he knew Treasury would also be available.

2. (S) Secondly, Ambassador explained why a "political MOU" was unacceptable, pointing out interalia the dangers to Turkey if such a document were misinterpreted as a U.S.- Turkey political blueprint for Iraq and the region. He said he understood, but that Turkey "is in a difficult spot." "We have to have," he said, a document that the "PM can use to convince the Parliament that the political concerns of Turkey have been met, and the U.S. and Turkey are in agreement." He asked for suggestions, and Ambassador told him to think in terms of a statement. He asked if "Statement of Political Principles" might work? (Note: Amb Khalilzad is currently meeting with his Turkish counterpart on the substance of the U.S. instructed paper, and we will have a fuller report to forward from that meeting. End Note).

3. (S) On the third issue, Ambassador said the mil-to-mil MOU negotiations needed closing instructions from the MFA leadership. In those talks, we now were trying to resolve taxation, claims and criminal jurisdiction questions, Ambassador said. He explained that we were offering creative solutions for taxation and claims questions, but that the criminal jurisdiction issue is fundamental for the U.S. side. Ziyal said he would discuss these points with the Turkish negotiator. As Ambassador left Ziyal's office, the Turkish negotiator walked in, apparently to brief Ziyal on the discussions. (Note: the U.S. team, led by Ambassador Lino, has informed the Turks that we will stay tonight as late as possible to close on the issues. End Note).
PEARSON